

REMARKS

Claims 1-32 were previously pending in this application. Claims 1, 10, 19, 31 and 32 are amended. No new claims are added. No claims are canceled. As a result claims 1-32 are pending for examination with claims 1, 10, and 19 being independent claims. No new matter has been added. The application as presented is believed to be in condition for allowance.

Rejections Under 35 U.S.C. §112

Claims 1, 10, 19, 31 and 32 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Without acceding to the correctness of this rejection, Applicant herein amends claims 1, 10, 19, 31 and 32, and as amended claims 1, 10, 19, 31 and 32 meet the requirements of 35 U.S.C. §112, first paragraph. In particular, support for the subject matter of amended claims 1, 10, 19, 31 and 32 may be found, for example, in the original claims and paragraphs [0020], [0022], [0023], [0025], [0073], [0074] and [0075] of the published application. Accordingly, withdrawal of the rejection of claims 1, 10, 19, 31 and 32 under 35 U.S.C. §112, first paragraph is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 1-6, 8-24, and 26-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fisk (WO 00/69535) in view of Koza (US 6,767,284) in further view of Fioretti (US 5,351,970). In response, Applicant herein amends claims 1, 10 and 19 and respectfully requests reconsideration in light of the following comments.

Claim 1, as amended, is directed toward a method for conducting a plurality of game sessions including acts of “providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game of chance having a date and time” and “receiving, via the website, an entry specifying the date and time.” As explained below, the proposed combination of Fisk, Koza and Fioretti does not teach or suggest these limiting actions.

Fisk discloses a computer network which manages multiple simultaneous bingo games having a potentially large number of bingo cards and managing the computational burden associated with the multiple simultaneous bingo games (Abstract and page 5, lines 6-19). Fisk

also provides the ability of a player to participate in the bingo game by validating a bingo card received from a number of possible sources (Page 8, lines 12-13). Specifically, pre-printed bingo cards are distributed electronically to public locations, in advance of the game, for example through lottery networks to lottery machines, through ATM networks to ATMs, or by printing bingo cards in available spaces on instant lottery game pieces (Page 8, lines 13-16). "A player, having chosen a preferred pre-printed card, can then validate the card to participate in a bingo game by submitting payment for the game, and the identifier of the card (which may be typed or bar-coded onto the pre-printed card) (Page 8, lines 20-22).

Koza is directed toward skill games "that are implemented using network communications" (Abstract). Koza discloses "promotional games" that "give anyone the opportunity to participate in the game merely by making a replica of the entry form or by requesting a free entry form by mail (without purchasing the newspaper or magazine)" (Col. 2, lines 33-37).

Fioretti is directed to methods and apparatus that permit use of techniques and equipment for the "remote on-line point of sale generation of gaming tickets," (Col. 6 lines 42-49), including "techniques and equipment for keeping track of all arrays sold." (Col. 6 lines 50-58). Fioretti describes conducting bingo games for players "in response to purchase requests." (Col. 7, lines 14-16, Col. 8, lines 34-45, Col. 9, lines 19-30 and 31-41 (the invention contemplates issuing (selling) bingo game card arrays (sometimes referred to herein as "cards") in response to purchaser requests using commercially available, on-line point of sale terminal outlets).

Applicant does not accede that the proposed combination of Fisk, Koza and Fioretti is proper and reserves the right to traverse the combination in the future. However, even if one were to combine the references as proposed, the proposed combination fails to render amended claim 1 obvious because the proposed combination does not teach, suggest or disclose the acts of "providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game of chance having a date and time" and "receiving, via the website, an entry specifying the date and time" as required by amended claim 1. Fisk does not teach, suggest or disclose these claim limitations because Fisk relies on newspaper supplements and instant win tickets to supply entry materials. Nor do the cited portions of Koza provide these limitations because the cited portions

of Koza simply disclose the notion that promotional games give anyone the opportunity to participate in a game by requesting a free entry form. Moreover, while the cited portions of Fioretti disclose a system that supports playing bingo over a wide geographic area, the cited portions of Fioretti do not disclose that the system provides an indication of an AMOE game session having a specific date and time that the player submits to request entry into the AMOE game session. For these reasons, the proposed combination of Fisk, Koza and Fioretti fails to teach or suggest the acts of “providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game of chance having a date and time” and “receiving, via the website, an entry specifying the date and time” as required by amended claim 1.

Furthermore, these claim limitations patentably distinguish amended claim 1 over the proposed combination because the missing claim limitations provide an important advantage over the cited references. In particular, consistent with the specification, the claimed embodiment can limit AMOE entries “to a small number of game sessions within a given period of time” (Paragraph [0074]) by, for example, providing indications on the website for AMOE game sessions with specific dates and times when the gaming system is underutilized by paying players. Therefore, these claim limitations are not a mere design consideration. Thus, for at least these reasons, the proposed combination of Fisk, Koza and Fioretti fails to render amended claim 1 obvious.

Claim 19, as amended, also requires acts of “providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game of chance having a date and time” and “receiving, via the website, an entry specifying the date and time.” Claim 10, as amended, requires “an alternative means of entry (AMOE) for entering the game session of the wagering game, wherein a game player enters the game session of the wagering game by submitting the date and time of a game session to be entered by AMOE to a website that provides an indication of the game session to be entered by AMOE, the game session to be entered by AMOE being the game session of the wagering game.” Therefore claims 10 and 19 are allowable because the proposed combination of Fisk, Koza and Fioretti fails to teach or suggest a website that provides

indications of AMOE game sessions to be entered by submitting the date and time of the AMOE game session to the website. Dependent claims 2-6, 8, 9, 11-18, 20-24, and 26-29 depend from one of independent claims 1, 10, and 19. Therefore, dependent claims 2-6, 8, 9, 11-18, 20-24, and 26-29 are allowable for at least the same reasons as independent claims 1, 10 and 19, as amended. Accordingly, withdrawal of the rejection of claims 1-6, 8-24, and 26-29 under 35 U.S.C. §103(a) is respectfully requested.

Claims 7 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fisk in view of Fioretti in further view of Odom (US 6,581,935). In response, Applicant does not accede that the proposed combination of Fisk, Fioretti and Odom is proper and reserves the right to traverse the combination in the future. However, if one were to combine the references as proposed, the proposed combination fails to render claims 7 and 25 obvious because the proposed combination does not teach, suggest or disclose the acts of “providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game of chance having a date and time” and “receiving, via the website, an entry specifying the date and time” as required by claims 7 and 25 by virtue of their respective dependency from independent claims 1 and 19, as amended. As discussed above, neither Fisk nor Fioretti teach, suggest or disclose these limitations. Nothing in the cited portions of Odom cures this infirmity because the cited portions of Odom address the use of a pay table to determine an award and are not directed to providing alternative methods of entry via a website. Accordingly, withdrawal of the rejection of claims 7 and 25 under 35 U.S.C. §103(a) is respectfully requested.

Claim 30 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Fisk in view of Koza in further view of Fioretti in still further still view of Yacenda (US 2001/0003100). In response, Applicant does not accede that the proposed combination of Fisk, Koza, Fioretti and Yacenda is proper and reserves the right to traverse the combination in the future. However, if one were to combine the references as proposed, the proposed combination fails to render claim 30 obvious because the proposed combination does not teach, suggest or disclose the acts of “providing, via a website, an indication of a game session to be entered by AMOE, the game session to be entered by AMOE being the at least one of the plurality of game sessions to the wagering game of chance, the at least one of the plurality of game sessions to the wagering game

of chance having a date and time” and “receiving, via the website, an entry specifying the date and time” as required by claim 30 by virtue of its dependency from independent claim 1, as amended. As discussed above the proposed combination of Fisk, Koza, and Fioretti fails to teach, suggest or disclose these limitations. Nothing in the cited portions of Yacenda cures this infirmity because the cited portions of Yacenda use of a computer system to provide a variety of paid lottery subscriptions and are not directed to providing alternative methods of entry via a website. Accordingly, withdrawal of the rejection of claim 30 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
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